

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

S&P Global Inc., *et al.*,

Plaintiffs,

—v—

S&P Data LLC, *et al.*,

Defendants.

20-CV-1865 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

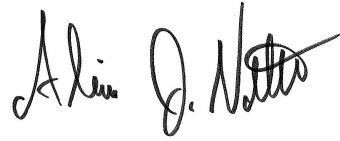
On May 13, 2020, Defendants filed a motion to dismiss. Dkt. No. 29. Pursuant to Rule 3.F of this Court’s Individual Practices in Civil Cases, on or before May 26, 2020, Plaintiffs must notify the Court and their adversary in writing whether (1) Plaintiffs intend to file an amended pleading and when they will do so or (2) Plaintiffs will rely on the pleading being attacked. Plaintiffs are on notice that declining to amend Plaintiffs’ pleadings to timely respond to a fully briefed argument in Defendants’ motion to dismiss may well constitute a waiver of the Plaintiffs’ right to use the amendment process to cure any defects that have been made apparent by the Defendants’ briefing. *See Loreley Fin. (Jersey) No. 3 Ltd. v. Wells Fargo Sec., LLC.*, 797 F.3d 160 (2d Cir. 2015) (leaving “unaltered the grounds on which denial of leave to amend has long been held proper, such as undue delay, bad faith, dilatory motive, and futility”).

If Plaintiffs choose to amend, Defendants may then (a) file an answer; (b) file a new motion to dismiss; or (c) submit a letter stating that it relies on the initially-filed motion to dismiss.

Nothing in this Order alters the time to amend, answer or move provided by the Federal Rules of Civil Procedure or Local Rules.

SO ORDERED.

Dated: May 18, 2020  
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", with a stylized flourish at the end.

---

ALISON J. NATHAN  
United States District Judge